

IN THE CIRCUIT COURT FOR BLOUNT COUNTY, TENNESSEE

SAUNDRA GROOVER,
and spouse, RICHARD HELTON

Plaintiff,

v.

WALMART INC. and,
WAL-MART STORES EAST, LP

Defendants.

No.

L-20081
JURY DEMAND

FILED

APR 01 2021

TOM HATCHER
CIRCUIT COURT CLERK

COMPLAINT

COME now the Plaintiffs, Sandra Groover and Richard Helton, by and through counsel and, for cause of action against the Defendants, Walmart Inc. and Wal-Mart Stores East, LP, would respectfully show this Honorable Court the following:

1. That the Plaintiffs, Sandra Groover and Richard Helton, are citizens and residents of Blount County, Tennessee, and were at all times material herein, residing at 1125 Mustang Drive, Friendsville, TN 37737.

2. That the Defendants, Walmart Inc. and Wal-Mart Stores East, LP, operate a store known as "Wal-Mart" which is located at 1030 Hunters Crossing, Alcoa, Blount County, Tennessee, and may be served with process at their registered agent, CT Corporation System, 300 Montvue Road, Knoxville, TN 37919-5546.

3. That on or about the 29th day of August, 2020, the Plaintiff, Sandra Groover, was a business invitee of said business and was on the premises during the hours of operation.

EXHIBIT B

4. The Plaintiff, Sandra Groover, entered the property at issue and as she was attempting to procure a shopping cart, she was stuck by excess shopping carts being returned by the Defendants' agent, servant, and/or employee, causing injury to her person.

5. At all times material herein, the Defendants, through their agents, servants, and employees, operated, owned, managed, maintained, and controlled the facility at which the Plaintiff was injured.

6. The Defendants, through their agents, servants, and employees were negligent in returning shopping carts to the store by pushing them through a barrier in a manner such that it was dangerous to the public at large and to the Plaintiff, Sandra Groover, in particular.

7. Prior to the accident at issue, the Defendants, through their agents, servants, and employees, knew or through the exercise of reasonable diligence should have known, about the dangerous condition of pushing shopping carts through a barrier without visually verifying that no patrons, and/or guests were standing on the other side.

8. The Defendants were negligent in failing to adequately warn the public at large and the Plaintiff, Sandra Groover, in particular, of the dangers of the shopping cart storage area.

9. At no time material herein was the Plaintiff, Sandra Groover, guilty of negligence in her conduct or actions.

10. As a direct consequence of the Defendants negligence, the Plaintiff, Sandra Groover, suffered injuries to her person, experienced pain of mind and body, and incurred reasonable and necessary expenses for her medical care.

11. As a direct and proximate result of the Defendant's negligence, the Plaintiff, Richard Helton, has suffered loss of services, society and companionship of his wife Sandra Groover.

WHEREFORE, the Plaintiff prays as follows:

1. That proper process issue requiring the Defendant to appear and give answer to this Complaint.
2. That a jury be impaneled to try the issues set forth herein.
3. That the Plaintiff, Sandra Groover, have and recover compensatory damages from the Defendant in an amount to be determined by the jury, but not less than One Hundred Fifty Thousand and No/100 Dollars (\$150,000.00).
4. That the Plaintiff, Richard Helton, have and recover compensatory damages form the Defendants in the amount to be determined by the jury, but not less than Twenty-Five Thousand and No/100 (\$25,000.00)
5. That the Plaintiff has all such other, further and general relief to which she may be entitled, including recovery of costs.

RESPECTFULLY SUBMITTED, this the 1st day of April, 2021.

SAUNDRA GROOBER

BY: 

JOSEPH E. COSTNER (BPR # 006202)

Attorney for Plaintiffs

COSTNER & GREENE, ATTORNEYS

315 High Street

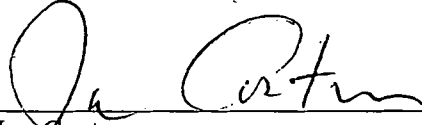
Maryville, TN 37804

Phone: (865) 983-7642

COST BOND

WE, COSTNER & GREENE, ATTORNEYS, do hereby make ourselves sureties for the costs
in this cause in accordance with T. C. A. §20-12-120.

COSTNER & GREENE, ATTORNEYS



Joe Costner